



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
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APPLICATION NUMBER 09/651,323	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
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EXAMINER Ahshik Kim
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ART UNIT 2876	PAPER NUMBER 8
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DATE MAILED:

### INTERVIEW SUMMARY

All participants (applicant, applicant's representative, PTO personnel):

- (1) MICHAEL G. LEE (3) Ms. Erika H. Arner  
(2) Ahshik Kim (4) Mr. Robert Rotella

Date of Interview 7/3/02

Type: ☐ Telephonic ☒ Personal (copy is given to ☐ applicant ☒ applicant's representative).

Exhibit shown or demonstration conducted: ☒ Yes ☐ No If yes, brief description: Figures in the application

Agreement ☐ was reached. ☒ was not reached.

Claim(s) discussed: All, mainly 1-independent claim

Identification of prior art discussed: US 5612,889 to Pintsov et al

Description of the general nature of what was agreed to if an agreement was reached, or any other comments:

Merits of the claim 1 was discussed. Examiner(s) agreed to consider upon receiving response/amendment based upon the interview

(A fuller description, if necessary, and a copy of the amendments, if available, which the examiner agreed would render the claims allowable must be attached. Also, where no copy of the amendments which would render the claims allowable is available, a summary thereof must be attached.)

1. ☐ It is not necessary for applicant to provide a separate record of the substance of the interview.

Unless the paragraph above has been checked to indicate to the contrary, A FORMAL WRITTEN RESPONSE TO THE LAST OFFICE ACTION IS NOT WAIVED AND MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a response to the last Office action has been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW.

2. ☐ Since the Examiner's interview summary above (including any attachments) reflects a complete response to each of the objections, rejections and requirements that may be present in the last Office action, and since the claims are now allowable, this completed form is considered to fulfill the response requirements of the last Office action. Applicant is not relieved from providing a separate record of the interview unless box 1 above is also checked.

Examiner Note: You must sign this form unless it is an attachment to another form.

### **Interview Agenda**

Application No. 09/651,323  
Attorney Docket No. 08049.0010  
Examiner Ahshik Kim, 703/746-4782  
Date: July 2, 2002; 10:00 a.m.  
Location: Crystal Plaza 4  
Check in at 6th Floor Reception

- I. Overview of Invention
  - A. Figures 3, 8, 13
- II. Traverse 102(b) rejections over Pintsov et al. (all independent claims).
  - A. Pintsov et al. does not teach the identification file corresponding to the identification code. (The reference teaches a mailing identification file with addresses and codes for a list of mailpieces, col. 10, ll. 19-30.)
  - B. Pintsov et al. does not teach an identification file accessible to a plurality of nodes on a mailpiece sorting system. (The reference teaches sending the mailing identification file from a carrier to a mailer that is not part of a mailpiece sorting system, col. 10, ll. 24-25; Fig. 1.)
- III. Traverse 103(a) rejections over Pintsov et al. in combination of other references (all dependent claims).
  - A. For at least the reasons above, Pintsov et al. does not teach or suggest several elements of the claims. The Office Action does not suggest that any of the other references cure these defects.
- IV. Conclusion
  - A. Interview summary.



**KARL D. FRECH**  
**PRIMARY EXAMINER**

<b>Interview Summary</b>	Application No. 09/651,323	Applicant(s) AVANT ET AL.	
	Examiner Ahshik Kim	Art Unit 2876	

All participants (applicant, applicant's representative, PTO personnel):

- (1) Ahshik Kim. (3) Mr. Lionel Lavenue  
 (2) Ms. Erika Arner. (4) \_\_\_\_\_

Date of Interview: 18 November 2003.

Type: a) ☐ Telephonic b) ☐ Video Conference  
 c) ☒ Personal [copy given to: 1) ☐ applicant 2) ☒ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☐ No.  
 If Yes, brief description: \_\_\_\_\_

Claim(s) discussed: 1, 18, 35 and 36.

Identification of prior art discussed: Borgendale et al. (US 5,734,568).

Agreement with respect to the claims f) ☒ was reached. g) ☐ was not reached. h) ☐ N/A.


Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: \_\_\_\_\_

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

*Applicants provided detailed description of the invention. Independent claims were discussed in view of the cited reference (US 5,734,568 to Borgendale). Examiner agreed that proposed amendment (received via fax) may overcome the subject matter disclosed in Borgendale. Updated search and further consideration would be warranted if proposed amendment were to be filed.*

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

  
 Examiner's signature, if required

## Summary of Record of Interview Requirements

### Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

### Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

#### Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

#### 37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiner's Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,  
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

### Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

Informal - For Discussion Purposes Only - Informal

**Interview Outline**

Application No. 09/651,323

Attorney Docket No. 08049.0010

Examiner Ahshik Kim, 703-305-5203

Date/Time: Tuesday, November 18th/11:00 a.m.

Location: Crystal Plaza 4

Check in at Security Desk or 4th Floor Reception

- I. Overview of Invention (e.g., Figures 2, 3, 12; Claim 1).
- II. Rejections under § 102 over Borgendale et al., U.S. Patent No. 5,734,568
  - A. Borgendale et al. fails to disclose using the identification code to retrieve identification information from the corresponding identification file at a plurality of nodes on a mailpiece sorting system. Indeed, the Office Action did not even mention this claim element.
  - B. The system of Borgendale et al. creates an electronic mailpiece folder 16 containing information about a mailpiece. Part of the electronic folder is created at a sending post office 10 and part of it is created at a remote processing system 14 using an image of the mailpiece. (Borgendale et al., col. 4, ll. 10-23.) Once the electronic folder is created, it is sent to a destination post office 28. (Id., col. 6, ll. 21-22.).
  - C. Possible amendment language: "using the identification code read from the mailpiece to retrieve identification information from the corresponding identification file at a plurality of nodes..." or add in "at a plurality of nodes: reading the identification code from the mailpiece; and using the read identification code to retrieve identification information..."
- III. Rejections under § 103 over Borgendale et al. and other references
  - A. Borgendale et al. fails to disclose using the identification code to retrieve identification information from the corresponding identification file at a plurality of nodes on a mailpiece sorting system. Indeed, the Office Action did not even mention this claim element.
  - B. None of the other references cure this defect. Indeed, the Examiner does not allege that any of the other references teach this claim element.
- IV. Proposed course of action.
  - A. Response/Possible Amendment
- V. Conclusion/Interview summary.

Informal - For Discussion Purposes Only - Informal

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**FACSIMILE TRANSMITTAL**

To: Examiner Ahshik Kim  
Firm: USPTO  
Fax No.: 703-746-4782 Phone No.:                       
            Application No. 09/651,323  
Subject: Atty. Doc. 08049-0010 Date: November 17, 2003

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From: Erika H. Arner Phone No.: 571.203.2754  
Fax # Verified by: A. Watters No. of Pages (incl. this page) 2 pp.

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Confirmation Copy to Follow: No

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**Message:**

Attached is an interview outline for Examiner Kim.

If there is a problem with this transmission, notify fax room at (202) 408-4174 or the sender at the number above.

This facsimile is intended only for the individual to whom it is addressed and may contain information that is privileged, confidential, or exempt from disclosure under applicable law. If you have received this facsimile in error, please notify the sender immediately by telephone (collect), and return the original message by first-class mail to the above address.